



# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF LOUISIANA

## NOTICE

### Change to Federal Bankruptcy Rules and Forms Effective December 1, 2009

#### The following Rules have been revised.

1007, 1014

Under the current federal rules, intermediate weekends and holidays are excluded when calculating time periods fewer than eight days. The amended rules count intermediate weekends and holidays for all time periods.

#### New Time Computation Rules - Adopt multiples of 7 as a deadline number convention.

- Deadlines of less than 30 days were changed to multiples of seven days so that the expiration of the deadline ordinarily would occur on a weekday. Under the revised rules:
  - 5-day deadlines become 7 days;
  - 10- and 15-day deadlines become **14** days;
  - 20-day deadlines become **21** days; and
  - 25-day deadlines become **28** days.

#### Change to Federal Bankruptcy Forms - Effective December 1, 2009.

**B1, Exhibit D** Individual Debtor's Statement of Compliance with Credit Counseling Requirement - **FORM MODIFIED** Available at [www.uscourts.gov](http://www.uscourts.gov).

**B23** Debtor's Certification of Completion of instructional Course Concerning Financial Management - **FORM MODIFIED** Available at [www.uscourts.gov](http://www.uscourts.gov).

**B27** Reaffirmation Agreement Cover Sheet - **NEW FORM** Required in addition to the **B240A**. Available at [www.uscourts.gov](http://www.uscourts.gov).

#### Proposed Amendments to the Federal Rules of Bankruptcy

Bankruptcy Rules 4008, 7052, 9021, new Rules 1017.1 and 7058, revisions to Official Form 8, and new Official Form 27

#### Proposed Time-Computation Amendments to the Federal Rules of Bankruptcy Procedure

Bankruptcy Rules 1007, 1011, 1019, 1020, 2002, 2003, 2006, 2007, 2007.2, 2008, 2015, 2015.1, 2015.2, 2015.3, 2016, 3001, 3015, 3017, 3019, 3020, 4001, 4002, 4004, 6003, 6004, 6006, 6007, 7004, 7012, 8001, 8002, 8003, 8006, 8009, 8015, 8017, 9006, 9027, and 9033

## **Bankruptcy Rules:**

**Bankruptcy Rule 1007** (Lists, Schedules, Statements, and Other Documents; Time Limits) (time computation amendment)

**Bankruptcy Rule 1011** (Responsive Pleading or Motion in Involuntary and Cross-Border Cases) (time computation amendment)

**New Bankruptcy Rule 1017.1** (Exemption from Prepetition Credit Counseling Requirement) (establishes procedures for court to consider a debtor's request to defer prepetition counseling because of exigent circumstances)

**Bankruptcy Rule 1019** (Conversion of Chapter 11 Reorganization Case, Chapter 12 Family Farmer's Debt Adjustment Case, or Chapter 13 Individual's Debt Adjustment Case to Chapter 7 Liquidation Case) (time computation amendment)

**Bankruptcy Rule 1020** (Election to be Considered a Small Business in a Chapter 11 Reorganization Case) (time computation amendment)

**Bankruptcy Rule 2002** (Notices to Creditors, Equity Security Holders, Administrators in Foreign Proceedings, Persons Against Whom Provisional Relief is Sought in Ancillary and Other Cross-Border Cases, United States, and United States Trustee) (time computation amendment)

**Bankruptcy Rule 2003** (Meeting of Creditors or Equity Security Holders) (time computation amendment)

**Bankruptcy Rule 2006** (Solicitation and Voting of Proxies in Chapter 7 Liquidation Cases) (time computation amendment)

**Bankruptcy Rule 2007** (Review of Appointment of Creditors' Committee Organized Before Commencement of the Case) (time computation amendment)

**Bankruptcy Rule 2007.2** (Appointment of Patient Care Ombudsman in a Health Care Business Case) (time computation amendment)

**Bankruptcy Rule 2008** (Notice to Trustee of Selection) (time computation amendment)

**Bankruptcy Rule 2015** (Duty to Keep Records, Make Reports, and Give Notice of Case or Change of Status (time computation amendment))

**Bankruptcy Rule 2015.1** (Patient Care Ombudsman) (time computation amendment)

**Bankruptcy Rule 2015.2** (Transfer of Patient in Health Care Business Case) (time computation amendment)

**Bankruptcy Rule 2015.3** (Reports of Financial Information on Entities in Which a Chapter 11 Estate Holds a Controlling or Substantial Interest) (time computation amendment)

**Bankruptcy Rule 2016** (Compensation for Services Rendered and Reimbursement of Expenses) (time computation amendment)

**Bankruptcy Rule 3001** (Proof of Claim) (time computation amendment)

**Bankruptcy Rule 3015** (Filing, Objection to Confirmation, and Modification of a Plan in a Chapter 12 Family Farmer's Debt Adjustment or a Chapter 13 Individual's Debt Adjustment Case) (time computation amendment)

**Bankruptcy Rule 3017** (Court Consideration of Disclosure Statement in a Chapter 9 Municipality or Chapter 11 Reorganization Case) (time computation amendment)

**Bankruptcy Rule 3019** (Modification of Accepted Plan Before or After Confirmation in a Chapter 9 Municipality or Chapter 11 Reorganization Case) (time computation amendment)

**Bankruptcy Rule 3020** (Deposit; Confirmation of Plan in a Chapter 9 Municipality or Chapter 11 Reorganization Case) (time computation amendment)

**Bankruptcy Rule 4001** (Relief from Automatic Stay; Prohibiting Or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements) (time computation amendment)

**Bankruptcy Rule 4002** (Duties of Debtor) (time computation amendment)

**Bankruptcy Rule 4004** (Grant or Denial of Discharge) (time computation amendment)

**Bankruptcy Rule 4008** (Filing of Reaffirmation Agreement; Statement in Support of Reaffirmation Agreement) (requires party filing a reaffirmation agreement to also file a cover sheet on the applicable Official Form)

**Bankruptcy Rule 6003** (Interim and Final Relief Immediately Following the Commencement of the Case-Applications for Employment; Motions For Use, Sale, or ease of Property; and Motions for Assumption or Assignment Of Executory Contracts) (time computation amendment)

**Bankruptcy Rule 6004** (use, Sale, or Lease of Property) (time computation amendment)

**Bankruptcy Rule 6006** (Assumption, Rejection or Assignment of Executory Contract or Unexpired Lease) (time computation amendment)

**Bankruptcy Rule 6007** (Abandonment or Disposition of Property) (time computation amendment)

**Bankruptcy Rule 7004** (Process; Service of Summons; Complaint) (time computation amendment)

**Bankruptcy Rule 7012** (Defenses and Objections-When and How Presented-By Pleading or Motion-Motion for Judgment on the Pleading) (time computation amendment)

**Bankruptcy Rule 7052** (Findings by the Court) (conforms to amendment to Civil Rule 58 in 2002, which clarifies the time when a judgment that is not set forth on a separate document becomes final for appeal purposes)

**New Bankruptcy Rule 7058** (Entering Judgement in Adversary Proceeding) (conforms to amendment to Civil Rule 58 in 2002, which clarifies the time when a judgment that is not set forth on a separate document becomes final for appeal purposes)

**Bankruptcy Rule 8001** (Manner of Taking Appeal; Voluntary Dismissal; Certification to Court of Appeals) (time computation amendment)

**Bankruptcy Rule 8002** (Time for Filing Notice of Appeal) (time computation amendment)

**Bankruptcy Rule 8003** (Leave to Appeal) (time computation amendment)

**Bankruptcy Rule 8006** (Record and Issues on Appeal) (time computation amendment)

**Bankruptcy Rule 8009** (Brief and Appendix; Filing and Service) (time computation amendment)

**Bankruptcy Rule 8015** (Motion for Rehearing) (time computation amendment)

**Bankruptcy Rule 8017** (Stay of Judgment of District Court or Bankruptcy Appellate Panel) (time computation amendment)

**Bankruptcy Rule 9006** (Time) (template and time computation amendment)

**Bankruptcy Rule 9027** (Removal) (time computation amendment)

**Bankruptcy Rule 9033** (Review of Proposed Findings of Fact and Conclusions of Law in Non-Core Proceedings) (time computation amendment)

## **Bankruptcy Official Forms:**

**Official Form 8** (Chapter 7 Individual Debtor's Statement of Intention) (requires the debtor to provide information on leased personal property and property subject to security interests)

**New Official Form 27** (Reaffirmation Agreement) (proposed new form requires the disclosure of financial information necessary for the court to determine whether a reaffirmation agreement creates a presumption of undue hardship for the debtor)